

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 7, 2017

TO: Honorable Garnet Coleman, Chair, House Committee on County Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB640 by Phillips (Relating to the authority of a county or municipality to regulate the location of halfway houses; creating an offense.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Local Government Code to define "Halfway House." Authorizes municipalities within their corporate boundaries and counties in unincorporated areas to regulate these facilities. These regulations may restrict facilities to particular areas, prohibit them near certain other uses, and restrict the density of the facility. Requires the operators of these facilities to provide information on the location and density of these facilities to certain municipal and county officials 60 days prior beginning operations. Provides for officials to sue for an injunction prohibiting a violation of these regulations and establishes an offense under this chapter as a Class A misdemeanor.

The Office of Court Administration indicates that, although this bill creates a new civil cause of action, any impact would likely be absorbed by existing resources. No significant fiscal impact to the state court system is anticipated.

The bill would take effect September 1, 2017.

Local Government Impact

A Class A misdemeanor is punishable by a fine of not more than \$4,000, confinement in jail for a term not to exceed one year, or both. Costs associated with enforcement, prosecution, and confinement could likely be absorbed within existing resources. Revenue gain from fines imposed and collected is not anticipated to have a significant fiscal impact.

The Office of Court Administration indicates that no significant fiscal impact to the local court system is anticipated.

According to the Texas Municipal League, no significant fiscal impact is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council

LBB Staff: UP, JGA, GG, GP